

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 10/20/2021
--

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X	
	:	
RAYMOND GREENLEE, derivatively and on	:	
behalf of MACQUARIE INFRASTRUCTURE	:	
CORPORATION,	:	
	:	18-CV-9339 (VSB)
Plaintiff,	:	
	:	<u>ORDER</u>
v.	:	
	:	
JAMES HOOKE et al.,	:	
	:	
Defendants,	:	
-and-	:	
	:	
MACQUARIE INFRASTRUCTURE	:	
CORPORATION,	:	
	:	
Nominal Defendant.	:	
-----	X	

VERNON S. BRODERICK, United States District Judge:

On October 31, 2018, via stipulation and order, this action was stayed in light of a related action pending before me with the case number 18-cv-3608 (the “Riviera Action”) and an “anticipated motion to dismiss” the Riviera Action, and the parties agreed that, “[w]ithin thirty (30) days” of entry of an order in the Riviera Action concerning any motion to dismiss, they would “submit a proposed schedule to the Court for further proceedings in this” action. (Doc. 16 (the “Stay”).)

On September 7, 2021, I entered an Opinion and Order granting a motion to dismiss the Riviera Action. *See City of Riviera Beach Gen. Emps. Ret. Sys. v. Macquarie Infrastructure Corp.*, 18-CV-3608 (VSB), 2021 WL 4084572 (S.D.N.Y. Sept. 7, 2021). The parties’ time to submit a proposed schedule within the meaning of the Stay has thus expired, and no party has

communicated any intent to maintain either action.

Accordingly, it is hereby:

ORDERED that this action is discontinued without costs to any party and without prejudice to restoring the action to this Court's docket if the application to restore is made within thirty (30) days.

The Clerk of Court is respectfully directed to close the docket.

SO ORDERED.

Dated: October 20, 2021
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick", written over a horizontal line.

Vernon S. Broderick
United States District Judge